

Remarks

Claims 4, 13, 14, 15, 16, 19, 20, 21, 22, and 24 are pending in this application. Claims 1-3, 5-12, 17, 18, and 23 have been cancelled. Claims 4, 14, 15, 16, 19, 21, and 22 have been amended. No new matter has been added.

The further election requirement

In the Office action dated 02/14/2005, the primary examiner required the applicants to further elect "a single species of the radical of formulas I-IV, defining all substituent groups". In response, the applicants elect to proceed with prosecution of claims to conjugates of formula (I) in which the group "IA" is a radical of formula (III). Formula (I) is the generic formula for the conjugates, and is not a radical as implied by the examiner. In the conjugate of example 3.13 (page 185 of the specification) which was previously elected as a species of the claimed conjugates, the group IA is a radical of formula (III).

The claims have been amended to delete language relating to the radicals of formula (II) and (IV), as non-elected subject matter. Dependent claims 5-12 and 17-18 have been cancelled because they relate to non-elected subject matter, i.e., conjugates in which the group IA of generic formula (I) is a radical of formula (II) or (IV).

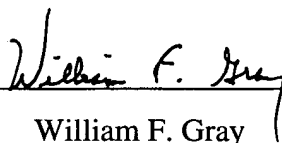
Claim 14, 15, and 16 have been amended to delete the superfluous language stating that the other radicals of formula (III) are as defined in claim 13. Claim 14 has also been amended to correct the language in the definition of R^7 so that it refers to the radical of formula (III) instead of formula (II).

Claim 19, which deals with processes for manufacturing the conjugates, has been amended for consistency with amended claim 4, and now relates to the preparation of conjugates of generic formula (I) in which the group IA has the formula (III). The definitions of the groups CT, AA1, AA2, AA3, AA4 and Sp are copied from claim 4. These definitions were in original claim 5 but were moved into claim 4 in the previous amendment. Claims 21 and 22 have been amended to refer to conjugates of one of claims 4, 13, 14, 15, or 16, as these are the only conjugate claims still pending. Claim 23 has been cancelled as being dependent upon the cancelled head claim 9.

Applicants reserve the right to pursue patent coverage for deleted subject matter in one or more continuing applications.

It is deemed that with this further election of conjugates in which the group IA of the generic formula is a radical of formula (III), and in view of the corresponding amendments to the claims, this application is now in condition for examination and prosecution on the merits, and examination and prosecution are accordingly requested.

Respectfully submitted,

A handwritten signature in cursive script, reading "William F. Gray", is written over a horizontal line.

William F. Gray
Bayer Pharmaceuticals Corporation
400 Morgan Lane
West Haven, CT 06516-4175

Reg. No. 31018
Phone: (203) 812-2712
Date: 4/11/05